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Crime prevention and criminal justice

Argentina, Austria, Belgium, China, Colombia, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Kenya, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Nigeria, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution

Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

The General Assembly,

Recalling its resolution 46/152 of 18 December 1991 on the creation of an effective United Nations crime prevention and criminal justice programme, in which it approved the statement of principles and programme of action annexed to that resolution,

Recalling also its resolution 59/159 of 20 December 2004 on strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity,

Bearing in mind the United Nations Millennium Declaration,[1] as well as the Vienna Declaration on Crime and Justice[2] and its plans of action,[3]

Welcoming the commitment to combat transnational crime contained in the 2005 World Summit Outcome[4] of the High-level Plenary Meeting of the General Assembly, held in New York from 14 to 16 September 2005,

Emphasizing the role of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and

[1] See resolution 55/2.
[2] Resolution 55/59, annex.
[3] Resolution 56/261, annex.
[4] Resolution 60/1.

05-54289 (E) 111005

effective law enforcement and administration of justice, respect for human rights and the rule of law and promotion of the highest standards of fairness, humanity and professional conduct,

Recognizing that action against global crime is a common and shared responsibility, and stressing the need to work collectively to combat transnational crime,

Convinced of the need for closer coordination and cooperation among States in combating crime in all its forms and manifestations, including criminal activities carried out for the purpose of furthering terrorism, and bearing in mind the role that is played by both the United Nations and regional organizations in this respect,

Welcoming the outcomes of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok in April 2005, which provided a crucial opportunity to exchange views and experiences and to identify and counter emerging trends and issues in the field of crime prevention and criminal justice,

Recognizing existing efforts at the regional level that complement the work of the United Nations Crime Prevention and Criminal Justice Programme in combating corruption, the smuggling of migrants and trafficking in persons, especially women and children, noting in this context the ongoing work of the Bali and Puebla Processes,[5] and recalling the United Nations Millennium Declaration and the pledge of the General Assembly to support the consolidation of democracy in Africa and to assist Africans in their struggle for sustainable human development,

Welcoming the imminent entry into force of the United Nations Convention against Corruption,[6] opened for signature in Merida, Mexico, in December 2003,

Bearing in mind all its relevant resolutions, in particular those related to the urgent need to strengthen international cooperation and technical assistance in promoting and facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto[7] and the United Nations Convention against Corruption, as well as the universal instruments against terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted by the General Assembly on 13 April 2005,[8]

Bearing in mind also all relevant Economic and Social Council resolutions, in particular resolutions 2005/14, 2005/15, 2005/16, 2005/17, 2005/18 and 2005/19 of 22 July 2005 and all those relating to the strengthening of international cooperation as well as the technical assistance and advisory services of the United Nations Crime Prevention and Criminal Justice Programme in the field of crime prevention and criminal justice, promotion and reinforcement of the rule of law and the reform of criminal justice institutions, including in the context of post-conflict reconstruction,

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[5] Most recently the ninth meeting of the Regional Conference on Migration, held in Panama City on 20 and 21 May 2004 as part of the Puebla Process, and the Senior Officials' Meeting of the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime, held in Brisbane, Australia, on 7 and 8 June 2004 as part of the Bali Process.

[6] Resolution 58/4, annex.

[7] Resolution 55/25, annexes I-III, and resolution 55/255, annex.

[8] Resolution 59/290, annex.

Acknowledging the role of United Nations standards and norms in crime prevention and criminal justice and their development, as reflected in Economic and Social Council resolution 2004/28 of 21 July 2004,

Recalling its relevant resolutions in which it requested the Secretary-General, as a matter of urgency, to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandate, in conformity with the high priority attached to the Programme,

Aware of the continued increase in requests for technical assistance forwarded to the United Nations Office on Drugs and Crime by least developed countries, developing countries and countries with economies in transition, including in the context of post-conflict reconstruction, and recognizing the need to maintain a balance in the technical cooperation capacity of the Office between all priorities identified by the General Assembly and the Economic and Social Council,

Expressing its appreciation for the funding provided by certain Member States, which in recent years has permitted the United Nations Office on Drugs and Crime and the United Nations Interregional Crime and Justice Research Institute and institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies to enhance their capacity to execute an increased number of projects in the field of crime prevention and criminal justice,

1. *Takes note with appreciation* of the report of the Secretary-General on the progress made in the implementation of General Assembly resolution 59/159;[9]

2. *Reaffirms* the importance of the United Nations Crime Prevention and Criminal Justice Programme in promoting effective action to strengthen international cooperation in crime prevention and criminal justice, in responding to the needs of the international community in the face of both national and transnational criminality and in assisting Member States in achieving the goals of preventing crime within and among States and improving the response to crime;

3. *Reiterates its appreciation* of the work of the Commission on Crime Prevention and Criminal Justice in coordinating international cooperation efforts, and requests that a gender perspective continue to be integrated into all programmes and activities of the United Nations Office on Drugs and Crime;

4. *Reaffirms* the importance of the work of the United Nations Office on Drugs and Crime in the fulfilment of its mandate in crime prevention and criminal justice, including to prevent and combat terrorism in coordination with and complementing the work of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism;

5. *Reaffirms also* the role of the United Nations Office on Drugs and Crime in providing to Member States, upon request and as a matter of high priority, technical cooperation, advisory services and other forms of assistance in the field of crime prevention and criminal justice, including in the areas of prevention and control of transnational organized crime, corruption and terrorism as well as in the area of reconstruction of national criminal justice systems, and stresses the need to enhance, within its existing mandate, its operational activities to assist, in particular,

[9] A/60/131.

least developed countries, developing countries and countries with economies in transition, including in the context of post-conflict reconstruction;

6. *Requests* the United Nations Office on Drugs and Crime to intensify its efforts to provide Member States with technical assistance, upon request, to strengthen international cooperation in preventing and combating terrorism through the facilitation of the ratification and implementation of the universal conventions and protocols related to terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism,[8] in particular through training in the judicial and prosecutorial fields in the proper implementation of the universal conventions and protocols related to terrorism, with particular emphasis on the need to coordinate such work with the Counter-Terrorism Committee and its executive directorate;

7. *Also requests* the United Nations Office on Drugs and Crime to take into account in its technical assistance programme to counter terrorism the elements necessary for building national capacity in order to strengthen criminal justice systems and the rule of law with a view to facilitating the effective implementation of the universal conventions and protocols related to terrorism and relevant Security Council resolutions;

8. *Expresses its grave concern* at the negative effects on development, peace and security and human rights posed by transnational crime, including trafficking in persons and smuggling of migrants, the illicit trade of small arms and light weapons and trafficking of illicit drugs and the increasing vulnerability of States to such crime;

9. *Recognizes* the progress made in the implementation of the global programmes addressing trafficking in human beings, corruption, organized crime and terrorism, and calls upon the Secretary-General to enhance further the visibility of those programmes and to strengthen the focus of the United Nations Office on Drugs and Crime on these priority programmes in crime prevention and criminal justice by providing it with the adequate resources for their full implementation;

10. *Endorses* the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice, adopted at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, held in Bangkok from 18 to 25 April 2005;[10]

11. *Invites* all States to significantly increase their support to the operational activities of the United Nations Crime Prevention and Criminal Justice Programme through voluntary contributions to the United Nations Crime Prevention and Criminal Justice Fund or through voluntary contributions in direct support of such activities, including for the provision of technical assistance for the implementation of the plans of action[3] of the Vienna Declaration on Crime and Justice[2] as well as of the commitments entered into at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and the measures outlined in the Bangkok Declaration;

12. *Also invites* all States to support, through voluntary contributions, the activities carried out by the United Nations Interregional Crime and Justice

[10] A/CONF.203/18, chap. I, resolution 1.

Research Institute and institutes of the United Nations Crime Prevention and Criminal Justice Programme network and other relevant bodies;

13. *Urges* States and relevant international organizations to develop national, regional and international strategies and other necessary measures to complement the work of the United Nations Crime Prevention and Criminal Justice Programme in effectively addressing transnational organized crime, including trafficking in persons and related criminal activities such as kidnapping, as well as smuggling of migrants and corruption;

14. *Urges* States and funding agencies to review, as appropriate, their funding policies for development assistance and to include a crime prevention and criminal justice component in such assistance;

15. *Encourages* relevant entities of the United Nations system, in particular the United Nations Development Programme, and invites the international financial institutions, in particular the World Bank, and regional and national funding agencies to increase further their support of and interaction with the United Nations Office on Drugs and Crime in order to benefit from synergies and avoid duplication of effort and to ensure that, as appropriate, activities on crime prevention and criminal justice and the promotion of the rule of law are considered in their sustainable development agenda and that the expertise of the Office is fully utilized;

16. *Welcomes* the efforts undertaken by the Commission on Crime Prevention and Criminal Justice to exercise more vigorously its mandated function of resource mobilization, and calls upon the Commission to strengthen further its activities in this direction;

17. *Also welcomes* the outcome of the round-table meeting entitled "Crime and Drugs as Impediments to Security and Development in Africa", hosted by the Government of Nigeria in Abuja in September 2005, pursuant to Economic and Social Council resolution 2004/32 of 21 July 2004, in the form of a comprehensive programme of action 2006-2010 to strengthen the rule of law and the criminal justice systems in Africa, which invites all African States, regional and subregional institutions, financial institutions and development partners to integrate the issues of crime and drugs into their development strategies and into official development assistance for Africa;

18. *Expresses its appreciation* to non-governmental organizations and other relevant sectors of civil society for their support for the United Nations Crime Prevention and Criminal Justice Programme;

19. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to enable it to promote in an effective manner the implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto[7] and to discharge its functions as the secretariat of the Conference of the Parties to that Convention in accordance with its mandate, and requests the Secretary-General to transmit to the General Assembly the reports of the Conference of the Parties;

20. *Also requests* the Secretary-General to take all necessary measures to provide adequate support to the Commission on Crime Prevention and Criminal Justice, as the principal policymaking body in this field, in performing its activities, including cooperation and coordination with the institutes of the United Nations

Crime Prevention and Criminal Justice Programme network and other relevant bodies;

21. *Urges* all States and competent regional economic integration organizations that have not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

22. *Welcomes* the voluntary contributions already made, and encourages States to make adequate and regular voluntary contributions for the implementation of the Convention and the Protocols thereto, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

23. *Encourages* Member States to take into account the Model Bilateral Agreement on the Sharing of Confiscated Proceeds of Crime or Property annexed to Economic and Social Council resolution 2005/14 of 22 July 2005, as a useful model for those States interested in negotiating and concluding bilateral agreements to facilitate the sharing of proceeds of crime, resulting in greater international cooperation in that area, such cooperation being one of the principal objectives of the United Nations Convention against Transnational Organized Crime;

24. *Urges* all States and competent regional economic integration organizations that have not yet done so to sign, ratify or accede to the United Nations Convention against Corruption;[6]

25. *Encourages* States to make adequate and regular voluntary contributions for the implementation of the United Nations Convention against Corruption, which is due to enter into force on 14 December 2005, through the United Nations funding mechanism specifically designed for that purpose in the Convention or in direct support of implementation activities and initiatives;

26. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its sixty-first session.